

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

**GREG ABBOTT, IN HIS CAPACITY AS
GOVERNOR OF THE STATE OF TEXAS, AND
THE STATE OF TEXAS,**
Defendants.

No. 1:23-cv-00853-DAE

**UNOPPOSED MOTION FOR ONE-WEEK EXTENSION
OF FILING DEADLINE**

Defendants Greg Abbott, in his capacity as Governor of the State of Texas, and the State of Texas, submit their Unopposed Motion for One-Week Extension of Filing Deadline, as follows:

1. At the Status Conference in this case held on August 6, 2024, the Court directed the parties to submit briefs regarding the effect of the *en banc* decision of the Fifth Circuit Court of Appeals in Case No. 23-50632 on further proceedings in this case. The Court directed the parties to file these briefs simultaneously by Friday, September 20, 2024.

2. The Fifth Circuit Court of Appeals has not yet issued its mandate in Case No. 23-50632. The Fifth Circuit is scheduled to issue its mandate in Case No. 23-50632 on Monday, September 23, 2024. (See ECF 155 in Case No. 23-50632).

3. The Fifth Circuit's mandate may provide direction or other information relevant to the issues to be briefed by the parties regarding the effect of the *en banc* decision on further proceedings in this case.

4 It would be to the benefit of the parties and the Court to incorporate into the upcoming briefs the relevant terms of the Fifth Circuit's mandate when it is issued on Monday, September 23. Defendants suggest that a short one-week extension would be appropriate for this purpose. Counsel for Plaintiff advises that the United States does not oppose this request for extension.

Accordingly, Defendants respectfully ask that the Court extend the due date for the briefs of all parties by one week from September 20, 2024, to September 27, 2024.

Date: September 17, 2024

Respectfully submitted,

KEN PAXTON
Attorney General of the State of Texas

BRENT WEBSTER
First Assistant Attorney General

RALPH MOLINA
Deputy First Assistant Attorney General

RYAN D. WALTERS
Chief, Special Litigation Division

RYAN. G. KERCHER
Deputy Chief, Special Litigation Division

OFFICE OF THE ATTORNEY GENERAL
P. O. Box 12548, MC-009
Austin, TX 78711-2548
(512) 936-2172

david.bryant@oag.texas.gov
johnathan.stone@oag.texas.gov
munera.al-fuhaid@oag.texas.gov
zachary.berg@oag.texas.gov
kyle.tebo@oag.texas.gov

/s/ David Bryant
DAVID BRYANT
Senior Special Counsel
Tex. State Bar No. 03281500

JOHNATHAN STONE
Special Counsel
Tex. State Bar No. 24071779

MUNERA AL-FUHAIID
Special Counsel
Tex. State Bar No. 24094501

ZACHARY BERG
Special Counsel
Tex. State Bar No. 24107706

KYLE S. TEBO
Special Counsel
Tex. State Bar No. 24137691

COUNSEL FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I certify that on September 10, 2024, I conferred with counsel for Plaintiff who stated Plaintiff is unopposed to the extension requested.

/s/ David Bryant
DAVID BRYANT

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on September 17, 2024 and that all counsel of record were served by CM/ECF.

/s/ David Bryant
DAVID BRYANT